

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ELECTRICAL WORKERS PENSION TRUST
FUND OF LOCAL UNION #58, IBEW, *et al*,

Plaintiffs,

v

ROTH ELECTRIC & CONTROL, INC., a
corporation incorporated under the laws of the
State of Michigan,

Defendant.

Case No. 08-10829

Hon. Denise Page Hood

ORDER FOR EXAMINATION OF JUDGMENT
DEBTOR AND RESTRAINING TRANSFER OF CERTAIN
PROPERTY SUPPLEMENTARY TO JUDGMENT

Matthew D. Roth

THIS MATTER having come before this Court on Plaintiffs' Motion for Examination of Judgment Debtor and Restraining Transfer of Certain Property Supplementary to Judgment, and said motion having been duly filed along with a supporting Affidavit and Brief, and the Court having reviewed the same and being fully advised in the premises;

NOW THEREFORE;

IT IS HEREBY ORDERED that Matthew D. Roth, officer and director of the corporation ("Defendant"), whose address is 8942 S. Barkley Rd., Millington, Michigan 48746, appear at the law offices of Erman, Teicher, Miller, Zucker & Freedman, P.C., 400 Galleria Officentre, Suite 444, Southfield, Michigan 48034, on **Tuesday, September 23, 2008 at 10:30 a.m.**, to be examined under oath concerning the income, property, or other means of satisfying the Judgment entered herein against Defendant on July 29, 2008.

IT IS FURTHER ORDERED that said person shall bring with him the following books, records, and papers in his possession, custody or control as they relate to Defendant Roth Electric & Control, Inc.:

1. All checkbooks, check registers, check stubs, canceled checks, bank statements and other documents whatsoever relating to any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization, in which Defendant has, or has had, any interest, at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

2. Copies of all returns, schedules and forms filed by or on behalf of Defendant with the Internal Revenue Service, State of Michigan, and any municipal governments, relating to any income received, property owned, business activities, sale or intangibles tax, of Defendant at any and all times during the period three (3) years preceding the date hereof or date of cessation of business, whichever is earlier;

3. All books of account and accounts receivable ledgers;

4. List of assets and liabilities;

5. All contracts of purchase, sale, bills of sale, certificates of title and deeds, and all other evidences of title or instruments of whatsoever kind or nature, relating to the purchase, sale or ownership of any property, real or personal, or any interest therein, purchased, sold or owned by or on behalf of Defendant at any time during the five (5) years immediately preceding the date hereof or date of cessation of business, whichever is earlier; and

6. Copies of all profit and loss statements and balance sheets relating to the affairs of Defendant prepared by, or on behalf of, said Defendant during the period three (3) years immediately preceding the date hereof or date of cessation of business, whichever is earlier.

IT IS FURTHER ORDERED that said Defendant, Roth Electric & Control, Inc., and its officers and directors, are restrained from transferring or disposing of any property of Defendant, whether now owned, or hereafter acquired by, or becoming due to Defendant, until further order of this Court. This order does not apply to property exempt by law from application to the satisfaction of the judgment.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: August 13, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 13, 2008, by electronic and/or ordinary mail.

S/Lisa Ware for William F. Lewis
Case Manager